



April 1, 2016

California Department of Water Resources
Attn: Lauren Bisnett, Public Affairs Office
P.O. Box 942836
Sacramento, CA 94236

Subject: Draft Groundwater Sustainability Plan (GSP) Emergency Regulations Public Comments

Dear Ms. Bisnett:

Thank you for the opportunity to comment on the Draft GSP Emergency Regulations. Below is a summary of the comments from the City for the Department's consideration.

- The Regulations should clearly and consistently state that the GSP's sustainability goals are to be developed locally.
- The Regulations should consistently reference the definition of "minimum threshold," specifically the concept of "significant and unreasonable" when defining impacts.
- The Regulations should not require use of NAVD88 as a reference datum, given that the cost of resurveying reference elevations is prohibitive.
- The Regulations should not limit historical water budget information to that provided by the Department.
- The provisions for "Management Areas" (§354.20) should be included in the final Regulations.
- The Regulations should include adaptive management strategies to develop monitoring networks over time.

Attached is a redlined document with specific text revisions to the Regulations. Should you have any questions, please do not hesitate to contact me at 510-583-4720 or alex.ameri@hayward-ca.gov.

Sincerely,

Alex Ameri

Director of Utilities and Environmental Services

Attachment

Attachment – Redlined Text Revisions

1. **§350.2(a) General Principles** – The Plan must achieve the locally developed sustainability goal for the entire basin within 20 years of the Plan implementation without adversely, significantly and unreasonably affecting the ability of an adjacent basin to implement their Plan or achieve their sustainability goal of developing groundwater resources consistent with their safe yield.
2. **§350.2(b) General Principles** – The Plan shall describe a process for the collection, interpretation, and reporting of sufficiently reliable information to permit the Department to evaluate the adequacy of the Plan for locally developed sustainability goals.
3. **§351(ad) Definitions** – “Seawater intrusion” refers to the significant and unreasonable advancement of seawater into a groundwater supply that results in any degradation of water quality in adversely affecting beneficial use of the basin, and includes seawater from any source.
4. **§354.6 (e) Agency Information** – A description of anticipated revenues and costs of implementing the Plan, including programs, projects, contracts, administrative expenses and other expected costs, and information demonstrating that the Agency has the necessary financial ability including grant opportunities to implement the plan over the implementation period.
5. **§354.18 (a)(2) Water Budget** – All water demands, which could affect the basin water budget, including but not limited to evapotranspiration, groundwater extraction, groundwater discharge to surface water sources, and subsurface groundwater outflow.
6. **§354.18 (a)(8) Water Budget** - The historical trend of groundwater elevations and change in volume of groundwater in storage based on available needs.
7. **§354.28 (3) Minimum Thresholds** – A discussion of how the minimum thresholds do not adversely and significantly affect the ability of adjacent basins to achieve sustainability goals or beneficial use of the basin or develop groundwater resources for future water supply needs.
8. **§354.28 (6)(2) Minimum Thresholds** – Reduction of Groundwater storage. The minimum threshold for reduction of groundwater storage shall be a total volume of groundwater that can be taken out of storage without causing undesirable results. Minimum thresholds for reduction of groundwater storage shall be supported by one the following:
 - (A) The annual sustainable yield of the basin, calculated based on historical trends and projected water use in the basin, based on water year type.
 - (B) The managed sustainable yield of the basin, calculated based on historical trends projected groundwater use, planned natural and artificial recharge in the basin, based on water year type over a five year period.
9. **§355.10 (b) Resolution of Conflicts by Department** – Disputes between basins which claim that the implementation of Plans or alternatives in one basin affects the ability of an adjacent basin to implement its Plan, or impedes its ability to achieve the sustainability goal shall be resolved by the Department. In resolving these disputes, the Department shall consider groundwater management objectives, beneficial use, water supply need, temporary and permanent effects, and compatibility of the sustainability goals of the basins.